The west and South

We took occasion not long since to enter into a minute calculation as to the political effect of the next census. We demonstrated by figures that the power would pess out of the hands of the East and the Northwest would control the government. The South, by means of the solored vote, unite on political issues, as their political struck with some of its conclusions:

forward with great confidence to the next decade. During the next ten years our politics will turn upon questions of finance. in the Western mind being ordinarily ma. though they be criminals in fact. terial and industrial development; an idea from 1850 to 1860.

dustry of both sections being agricultureand the influence of the South in national next decade, the South will be in the excite reasonable apprehension. Union with increased power. The South will have an increased representation in of the Standard? cies of Western opinion.

lation.

with the national debt, the interests of the West and South are also identified. A very small portion of the government bonds is held in either section. The South has been precluded from purchasing them by its poverty and its pressing need of capital for active uses; and the West by high rates of interest which afford a more profitable employment of capital than investment in government bonds. There can be no party either in the West or South that will favor the bondholders at the expense of the just interests of the nation."

"Retribution."

In another column of our paper this the Standard, edited and published by out North Carolina to the discredit of the morning will be found an article from the comparative strangers, yet truly proclaim-Raleigh Standard. It is in reply to an ing itself to be the "official organ of North tion and may be interested in its consumeditorial of the Journal and bears the Carolina" and the "official organ of the significant title of "Retribution." We United States," tells the people of Chapel wish our readers to consider thoughfully Hill, who had in public meeting requested the position taken by the Standard and the publication in the Standard of the rethat occupied by the Journal. The posi- cital of what they deemed their grievtion of the Journal is not now and has ances, couched in decent and respectful not ever been an equivocal one. Our col- language, that it would "see them and umns will bear us out in saying we have ever been earnest advocates of law and order. We have ever counseled obedience also is chosen by the "official organ" of

Standard from anything we have said.— are placing the halter around their Road had actually been leased for \$240,000. We have neither said or intimated any necks to pause and avert the swift Quietly leased, not publicly. There was no ad-

Standard" is "a simple statement of facts" is no pretence even that any of these men and not a mere threat; that it would be thus doomed to death have ever been connext to impossible to get a jury to convict victed or tried or ever indicted for any would have greatly increased our weight in a Ku-Klux; that the warning had no refererime. Such being the condition of affairs Congress, and atter-pted to show how natu- ence to the Governor and his "efforts to we cannot repress anxious forebodings" rally the Northwest and South would crush out murder in the State," it We fear that our Governor lacks either the follows that this resistless power preparing will or the wisdom to avert an outbreak. and material interests were identical. A to crush people in Orange is a power un. We had hoped that the officers of the law, recent article in the New York World known to the Constitution and laws of the in spite of their known deficiences, would argues to the same end and we are forcibly State; that this terrible punishment which be able to convince the people that the is soon to come upon them like an ava- law was amply sufficient to protect the in-We have little hope of any far reach- lanch, which is to bind them hand and nocent and to punish the guilty. We have ing political and financial reforms until foot, is a punishment unknown to the laws constantly urged all classes of people to after the census of 1870; but we look and Constitution of the State, one to be appeal to the law for redress of injuries. inflicted not through Sheriffs and Jailors We have constantly deprecated resort to and Hangmen nor even the Governor, the violence or to redress outside of the law. chief Magistrate of the State and Captain We have constantly begged for a faithful, currency and taxation; and, owing to the General of the Militia, but to be inflicted impartial administration of the law. We new geographical distribution of political by persons whose right thus to punish can fear we have done these things to little power, the influence of the West in our be traced to no law. It follows too, that purpose, however. If the violent course of politics will be predominant. The popu- if, in this crushing process, the life of the the Standard be persisted in, if negroes lation of the New Fingland States is nearly greatest unconvicted criminal in the land banded together and drilling, under cir-

decade, the West has not wielded the in- ing" process is over, we take it that it will tion and to withdraw all threats of punish-

since the census of 1860. But, during the other acts their conduct is calculated to

of slavery, which will cause floe-fifths of such as to demand our most serious con-The weight of the South in the national execution of the laws does not exist in the responsibility will not rest upon us. councils will thus be increased; and, from North Carolina. There is rather a growing similarity of interests, the South will feeling of insecurity, resulting in emigrareinforce the West, and their joint influ- tion from the State and efforts to secure ence will operate as a unit. But the West protection by means of secret organizations the more we see into the faithlessness of will take the lead, and the increase of its outside of the law. The Masonic is the the transaction. We cannot, within the Representatives will enable it to dictate only secret organization of any kind of limits of reason and honesty, see how men. the politics of the nation. After the next which we are a member, and we do not, upon whom rested the most solemn oblicensus, the will of the West cannot be suc- therefore, speak by anthority when we ex- gations to take care of the welfare of the cessfully resisted; and all speculation re- press the belief that there is scarcely a State and of private stockholders, could There was no jeopardy or hazard to these September. The steamer then headed ammunition and coal, but nothing new was specting the future course of our politics community, in town or country in North deliberately and secretly vote away the will go widely astray, unless they are Carolina, in which there is not a secret as- best interests of both. For what purpose | would only entail additional labors. based on correct estimate of the tenden- sociation, entered into for mutual protec- has this thing been done? is asked on all Judge Person, in opposition to the mo- the shore and pilot came on board. The morrow. There can be no doubt that the predom- and true men. We are of opinion also promised? Yes! how much Virginia days to examine as to each one of these Cape Fear. I left her on the evening of mant sentiment of the West is vigorously that the numbers, power and influence money has been offered to North Carolina defendants. If their cases were severed. opposed to a protective tariff. There can of these associations are daily not officials to consummate this transaction? this examination would consume weeks. He York. be no better proof of this than the fact diminishing. These are white men who In whose interests has it been done? thought this practical difficulty should be that free-trade doctrines are making rapid are opposed to Radicalism and who think Why should men representing the State taken into consideration, where no in progress among the Republicans of that the acts of our Radical rulers justify them of North Carolina sacrifice her interests justice could be done by disallowing the States. Went on board of the Cuba as a The two most popular, able, in- in banding together for mutual protection. for the exclusive benefit of Virginia Rail- motion. In this case where there was a detective. Was acting under orders. fluential and widely circulated Republican On the other hand there is the secret asso- roads and cities, and to the direct and common design and purpose, and these journals in the West-the Chicago Tribune | ciation known as the Union League, con- | serious injury of North Carolina Railroads | men were banded together, the evidence | journed Court until to-morrow at 10 and Cincinnati Commercial-are out-spoken sisting of Radicals, both white and black, and cities? We venture the assertion which convicts one would convict all. intrepid advocates of free trade. The inter- mainly black. This association is regard- with certainty that the Directors of that ests of that section enlist it on the free-trade ed as having been formed to place the road can get eight per cent for the same the motion. He showed that it was the side. The West (as well as its natural al- black race in organized hostility to the privileges which they have bargained for usual practice in North Carolina Courts.ly, the South,) is a community of agricul- white race. The successful accomplish- six. We believe even more than eight can This trial, in its effects upon the defendturists; that is to say, a community of con- ment of this purpose is thought to be felt be obtained. Then why take six privately? ants, is something more than a mere presumers of manufactured goods, and not of in the onerous taxes recently imposed upon Why favor one line to the detriment of liminary examination. They were charged producers. It is the interest of all consu- us and to be seen in the numerous daily others and to the injury of the people of with a serious offence. It may be somemers that goods should be cheap; and it advertisements of the Sheriff's offering for Middle and Western North Carlina? is the professed object of protection to sale the property of delinquent tax-payers. make goods dear, in order that American In addition to this we have a "simple if those who have control of it are honestly for their appearance hereafter. They manufacturers may be able to hold the statement of facts" from the Standard, and disinterestedly satisfied that it is best were strangers here. It might cause their home market. The West and the South whose editor is not a member of the Union that it should be done, but it was wrong imprisonment. They may not be preparare reliably anti-tariff, and, during the League, declaring in the most emphatic to rent it privately to one line; it was ed to give bond. There may be some who next decade, the combined West and language, twice repeated, there is yet wrong, as a matter of preference, to foster are not citizens of the United States and South will have a controlling majority in another secret power in the State, just on Virginia interests with North Carolina owed no allegiance to this government. Congress,—the West gaining a great access the eve of crushing out guilty criminals, money; it was worse than wrong to lease and its courts could not take cognizance of strength by the growth of its popula- as it chooses to designate individuals who it for less than could have been obtained. of their cases, even if guilty of the acts

tion, and the South by counting the whole certainly have not been convicted of any of its colored population, instead of three- crime and who regard themselves, and opposition to this lease has received the Commissioner Rutherford said he could fifths of it as heretofore. As the new cen- whom others regard, as innocent of any endorsement of every paper in North see no injustice that could result from hear. man. Had followed the sea for three years for six months service in the Cuban navy. sus is to be taken next year, we are already criminal action. The Majesty of the Law. in the dawn of a great and final triumph its terrors and its authority, seem no long- the subject, except the Raleigh Standard. of free-trade principles in our tariff legis- er to be remembered-no longer to be and that paper is owned and controlled by thought of-no longer to be relied upon. the "Ring" master, who is identified with the defence might be separated and sent awhile during the war. Was on board of month in gold. "On the important questions connected This we regard as the source from which all the Railroad swindles in this State and have sprung all the evils that are upon us. Florida, and edited by a stranger, who We do not deem it necessary at this time has as much interest in Maine and more to enquire upon whom rests the heavy responsibility for the present state of affairs. We desire now simply to deal with facts as we find them. In certain portions of the State the people are particu- the Directors commits the corporation; larly exasperated, deeming their grievances to have been peculiarly hard to bear. In Orange county, for instance, the drilling of pegroes in one portion of the county, and in another the discovering of secret soothe and pacify an already exasperated are not fully advised as to the effect of the contract made by the Directors, but we do people. Just at this time, when prudence know that it will be remembered throughand moderation were especially demanded, Governor, who has endorsed this transac-

> The Sentinel, edited by a former Presithing of its value as well as the influence by name. at work which brought about this lease, their resolutions in the lowest pit of hell.

When the Governor gave his sanction to the Penitentiary swindle, when he approved of the sale of the North Carolina eight per cent. bonds and then not do it." This critical time at 65 cents in the dollar, which had brought and were then worth par, when he silently acquiesced and respect to the law and its duly consti- both State and Federal Government to State, we did hope that it had thrown so much and respect to the law and its duly consti-tuted officers as the duty of good citizens. both State and rederal Government to suspicion upon him that he would fear to give his sanction to any other schemes for the plun-

in Jamaica than in North Carolina.

We publish below an article on the

subject from the Raleigh Sentinel .-

we do believe that Governor GRAHAM.

and harmony. Before entering upon our secret power preparing to crush men who to say that the assertion, that we think no to the law of the land. Without allowing appear when his bill, as State Printer, is examjury could be found daring enough to con- any cooling time to men thus incensed, vict a Ku-Klux, was made without any this "simple statement of facts" is again warrant or authority on the part of the put forth to induce men, it is said, who Standard from anything we have said .- are placing the halter around their and terrible retribution about to fall If it be true that the "warning of the upon them; and all this is done when there

stationary; in none of the States east of be taken, it will in law be murder pure and cumstances calculated to excite reasonable the Alleghanies has the progress of popu- simple, the act not having been committed apprehensions, if spies and withal, men lation kept pace with the marvellous in the heat of passion, in self-defence or by of such character that no jury would begrowth of the free and expansive West .- an officer of the law in the execution of lieve them under oath, be sent among Had it not been for the war, the influence the sentence of the law, and that the people already excited, we fear bloodshed of the West in this decade (1860-'70) would "crushing" can be lawfully resisted even cannot be avoided. We think, however, have been far greater; the uppermost idea unto death by those unconvicted men, even it can be avoided if there be the will to do so on the part of Governor Holden. If, If the warning of the Standard be a Governor of the State of North Caro- will give one hundred thousand dollars per anwhich has been eclipsed and overborne by simple statement of facts and not a threat, lina, he will issue a proclamation to the the great civil convulsion consequent on the it behooves the people of Orange speedily people of the State, both black and Presidential election of 1860-the year to provide themselves with the means of white, calling upon them to return when the last census was taken. Before defence. If there be such a power among to their former habits of reverence the new appointment of Representatives them, so terrible in its punishment, so and obedience to the law, pledgon the basis of the next census, the en- swift, so secret, they need something more ing himself to see it faithfully and grossing question of this decade will have than the experience of the past or the as- impartially executed, and advising and askdisappeared from our politics, and the in | surance of the Standard to make them safe | ing them for the good of the State to withcreased ascendancy of the West will be from harm with no other shield from draw from all secret political associations. fully felt. "Westward the star of empire danger than innocence. Even though from all secret associations formed for takes its way:" and the weight of that sec- they may be as innocent of crime as protection or redress, as being dangerous takes its way: and the weight of that see the state—if he will do opposing this lease, thus withdrawing its the defendants. (During the remarks of September. After taking the men, arms a talk with him about Baltimore people we will be increased by the accumulations of to be prepared to demonstrate and to de- this and cause his official and other organs the two preceding decades. In the present | fend their innocence. After this "crush- among the press to sustain his proclama-

fluence due to its increase of population be too late, practically, to correct the mist ment or force other than that inflicted in take of having "crushed" the wrong marf. pursuance of the requirements of the law. In questions purely financial the West and We think, therefore, it would be more we are fully persuaded that not one month the South are natural allies-the chief in- prudent to prevent the occurrence of the would elapse before peace and quiet would prevail in the State. If some such policy We are informed that the negroes are as this be not adopted we fear bloodshed politics has been practically abolished constantly drilling in Hillsboro', and that in cannot be avoided. We speak plainly and earnestly. We have done all we could to in. preserve the peace and it now only remains Does this fact give point to the warning to await the result. If the conflict comes, the blood of dying men will not cry to were twenty-four defendants in the charge. Congress in consequence of the abolition The condition of affairs in the State is heaven against us, and if when it comes It would be impossible to keep seperate charging the stores, guns, arms, ammuni- weighed anchor and made for Fire Island. its colored population to be counted, in sideration. That feeling of security which nor age shall give protection to having an undue bearing in regard to the several days schooner and tugs came and wards New York, but the steamer seemed stead of three fifths as in the last census. usually attends a faithful and impartial the victim of perconal or party animosity, rest.

North Carolina Railroad Lease.

The more we reflect upon this matter committing magistrate. His functions After last vessel came and left the Cuban Monday morning. The Martha Washington guilty, and if so, to hold them for trial. gentlemen in this trial, and the severance

Judge Meares, for defence, supported thing more than an inconvenience to these We do not oppose a lease of this Road gentlemen to be compelled to give bond

Carolina, which has given an opinion on ing all the cases at once. He, therefore. refused to grant the motion.

from the Court room.

examination.

confine himself to facts of his own knowdent of the Road, and who knows some- ledge. He identified most of the officers

and harmony. Before entering upon our secret power preparing to crush men who Governor placed the Ring master, Littlefield the Standard man, in a position to plunder as State have been convicted of no offense known Printer. How he is plundering will mere fully

We heard, at the Henderson Fair, that there North Carolina Railroad, and that certain gentlemen were to have good places for twenty years instead of tour. On Monday we heard that the It may be proper here to add that our assis-

tant, Mr. Moore, wrote the editorial which appeared in Monday's paper, approving the lease.
We know something of this transaction, and yet we don't know half. The effert was made at the ast session of the Legislature to sell the Road. If General Littlefield had not been forced to leave the city and absent himself until the Committee on bribery and corruption was discharged, we think the bill to sell the Road might have passed. A friend of the lease says the bonds are now in the city to buy the Road, and he believes to buy the Legislature too, if that is a necessary preliminary to the purchase of the Road. We know nothing of that, there is little to be made by en:bracing one robber to keep from being plundered by another.

Two hundred and forty thousand dollars per annum for a Road, whose nett income last year was \$316,698,81! This year the receipts are larger and the expenses less. We think the Raleigh and Gaston Hoad pays one-third of \$240,000 per burg, when they were joined by Col Munro tion made by the witness. annum to the North Carolina Road, as a bonus for that Road to favor it in the shipment of freights. If the Road should do no better han it did last year, it will pay annually, for twenty years, \$76 638.81, to the Baleigh & Gaston Road, and for what? Let Governor Holden answer? Littlefield is said to have received \$100,000 to get \$2,000,000 appropriated for the Chatham How much has or will be paid to accomolish this advantageous lease, does not at present appear. If money is wanted to get the lease consummated, the Raleigh and Gaston Road can afford to pay half a million of dollars and then make money. This should be called Dr. Sloan's sale or lease, aided by Windy Billy Henderson, who was honorably acquitted by a jury of his countrymen for mule stealing. Neither Sloan nor Billy would have sold or disposed of a hog which they owned without more public notice than they gave in disposing of \$5,000,000 of property, three-fourths of which belonged to the peo-

The Wilmington and Weldon Road, we have no doubt, would be a competitor of the Raleigh and Gaston in bidding for the North Carolina Road, We have not heard a word from any one connecnum, more than the Raleigh and Gaston Road has given. This would make, in the twenty years, \$2,000,000 more than the State would get from the Raleigh and Gaston Road. Let us say, to Stockholders, don't sell your stock for \$65, it will soon be worth par. Let us say, don't confirm the lease made of Dr. Sloan and Windy Bily. If you wish to leave the Boad, put it up to the hignest bidder.

Dr Sloan cheat d you in the sale of your coton, don't let him cheat you in the sale of your

"CUBA."

Examination of Commodore Higgins and his Officers.

THURSDAY, October 21.

Mr. Davis, in behalf of the defence, entered a motion for a severence. There

tion, as they consider it, by good citizens sides. How much money has been paid or | tion, said that it would take two or three steamer was carried into mouth of the 5th of October and proceeded to New

pression of the rank of each.

water upon persons boarding the steamer. Mr. Davis objected to this testimony-

When acting with Col. Munro I was a

detective in the employ of the United

At 2 o'clock P. M. the Commissioner ad-

Mr. D. H. Starbnek, U. S. District At-

months been in detective service.

(Here witnesses for the prosecution and

defense were directed to withdraw from

the United States Receiving Ship Ver-

amination.

the room.)

FRIDAY, October 22.

Commissioner Rutherford called Court to order at 10% o'clock a. m.

1st or 2d of October. Approached near

tion. Sometime in September he met ness. Counsel thought such manners Hornet. The Hornet left Tuesday afterwith him on Broadway and went with him | might do well enough in New York detec- noon just before sundown, passed out

place of rendevous to Battery to avoid sus- Detective) to mark these coins. Davis an Indian. Arrived in Wilmington Mon. picion, and then to Fulton Market, Cath- did not tell me that my testimony would day-staying at no house, but on steamer erine Market, and other points in the city. need corroboration. Did not know that in the river; don't know its name. Came Met to receive notice as to when expedi- Mr. Davis was employed as a detective by here by railroad. Went on board on Montion would start. Some fifteen men met the Spanish government. He was a de-day about 11 o'clock. Don't know wheth. together. Did not remember exact date tective in the United States service. The er it was forenoon or afternoon. Came of departure from New York, and started witness could not or would not reply to Monday morning. [Here witness showed to refresh his memory by reading from the question "Do you charge the United much confusion and hesitation in giving

Mr. Davis objected as it was not a cowhat purpose. Counsel for prosecution outcounterfeiters, &c. did not insist upon the reading.

Went to Tenth street Ferry, East River. to a Cove and waited. Afterwards went in squads of five on board of Yacht Anne.-Went to South Seventh street, Williamswith five or six men. Sailed out the Narof the schooner Petril. Was paid \$35 less | the United States and the opinion of the have had no conversation with him. first months' wages. They sailed along question. Long Island shore until they came to No-Mans-land. When they met a vessel by the opinion as to what the Government did order of Col. Munro they went below .-Laid behind the Island for two days. Saw he would not insist upon the witness an steward. On the 21st September steamer approaching very carefully-hoisted signal, and steamer answered in about an hour. This was about 18th September. said he was in the United States. The had on cargo of coal, about 150 tons-left

Southward, and came in sight of land on elicited.

We are glad to see that our position in charged.

Judge Person remarked that the Gov. mont as "boy." Did not desert—was disernment's witnesses had been directed to charged—was on her about a month at the Phelps conducted the examination.

We know not how far the action of who is the legal representative of the brought up in New York. Came here in creditors of the Road will use every lawful the Cuba. She was a privateer, as all had means to prevent the consummation of this been proimsed a share in her captures. iniquity—this blow at once at the welfare She had on board five 62-pounder guns arms. Knew the officers. Did not know

and others to an ale saloon in Nassau tives but was not regarded as proper con- around Slangwong and Montauk to the We sincerely wish the course of the Stan-but a simple statement of facts, informing der of the State. But the Governor went to New York with Dr. Sloan, A. J. Jones, Littlefield, them of the existence in their midst of a Jenkins, the Treasurer and the whole Ring. The thing stirring on hand. Met daily for Witness said he made these marks in had Hornet market on it.

notes taken by a James Murray while at States with working out its justice with his testimony.] Boat carried me on steam.

temporaneous paper. It was made subse- as proper. The Government was obliged Shields. [Judge Person here remarked quently and it was easily to perceive for to employ detectives, and did so to ferret that the witness was sent on board by or.

Witness in resuming thought it was the times it was one to be deplored. But my home to bring me here. Said he want about 10th of September in the evening. surely the Government was not forced to ed me to go with him to New York, Didn't the necessity to employ men to spy upon say what he wanted. Didn't tell me any Went across to Green Point, and went up and betray their comrades for money. This thing. Staid in New York six hours. was not the business of a detective, and Came here to be a witness—a man in New he asked the question out of respect to the York, don't know who he was, told me i Government, to free it from the implica- had to come here. Shields came with me

rows about two miles, and went on board said that Mr. Davis was in the employ of Saw Gordon on the steamer since I came \$2 paid by Col. Munro in New York, as witness would be immaterial as to the last

> Commissioner Rutherford thought that amination. or did not do was of no consequence, and age-follow the sea for a living as swering the question.

The steamer took on board men, ship- schooner Petrel was two miles out when New York on Wednesday afternoon was stores, blankets and bedding, and a large we went on board of her. Don't know towed by tug. Mr. Phillips (an officer of copper instrument which one of the men the coast from the Narrows to No-Man's the Hornet) was along. Another tug car said was for the purpose of throwing hot Land. Was told by Col. Munro that it ried us to Fire Island. Signaled all night was No-Man's-Land. It was about three The Hornet came along on Saturday. miles from Gray's Head Light. Don't While there steamer Martha Washington and the witness attempted to describe this know whether it was North, South, East came alongside. Hornet towed us to Monor West from No-Man's-Land. (The wit- tank-went inside of the inlet into the A lengthy discussion arose between the ness could not give an intelligent account Sound, and commenced unloading coal on counsel as to competency of testimony, of the localities or directions there.) - Saturday night-continued all day Suntending to criminate defendants who were Didn't know whether it was morning or day and Sunday night. This was about afternoon when they reached the steamer half a mile from shore. Witness describnot present and not parties to the conver sations overheard by witness. The ques. Hornet. Distance at sea was very decep- ed how the schooner was blown ashore tion of common design and purpose was tive. My impression is that it was about with four tons of coal; pointed out several Since the above was in type we have discussed at length. The Commissioner two miles from land to the steamer. It officers who came ashore-Mr. Phillips, received the Standard of the 23d, and that required the witness to confine himself to might have been more than three miles, Mr. Gibson and that handsome gentleman paper comes out in an article strongly what was done or said by some one of but I don't think so. This was on the 18th (Capt. Ingraham.) Knew him because had Judge Meares, in commenting upon the and supplies from the Petrel the Hornet both knew. Two of them went up to Me testimony of the witness as to the distance went nearer shore and anchored. Don't Fowler's house to buy provisions. Carried of the steamer from shore, he said the de- know how far it was to shore. When the a large trunk or box on board of the steam fense expected to show that witness had Charter Oak came to us were about fifteen er from schooner-had blue clothing in it. wilfully perjured himself. This was re- miles from shore. Mr. Dornin came on A tug, and next day steamer Martha ceived with great applause by the by- steamer from the Charter Oak. Am posi- Washington came to steamer-remained a standers, mostly of the crew of the Cuba, tive that I did not hear the Captain of few hours and then left in direction of which was immediately supressed by the Charter Oak ask the Captain of steamer to New York. Was told at Sag Harbor by Mr. Commissioner, and the counsel for the de- go nearer shore as it was too rough to dis- Shields that I was wanted as a witness-Mr. Divine, a Stenographer, was sworn fense asked on their own behalf that it charge cargo. It was about dark Saturday been staying aboard of the Revenue Cutshould not be repeated.) The witness said night when unloading began-arms, shot ter since I arrived here on Friday night that the Hornet had no flag flying, noth- and shell were first taken on board and week. ing but the signal, blue-white-blue. The then guns-after that saw smoke of steamschooner laid alongside for two days dis- er supposed to be Revenue Cutter, and neither innocence nor sex, official position, the evidence against any one of them from tion, &c. The witness testified that for The Smoke and Fire Island were both towent bringing men, stores, ammunition, to be going in the sound. During all this Mr. Phelps, in behalf of the Govern- money, &c. Various officers got on her time Mr. Esling was Captain of the Horment, opposed this motion. He had never from these vessels, and finally a vessel came net. The name of the steamer had been known of such a motion made before a with coal-one hundred and fifty tons .- pointed out. Steamer made Fire Island were twofold-1st, To see if any offence flag was raised-twenty-one gans were came along side Monday afternoon-took thing but the truth. Don't know who had been committed, and 2d, to determine fired, and the commission of Commodore men and stores off her. This was about from the evidence, if he had cause to be- Higgins from the Cuban government read. two miles from shore according to my best lieve that any of the persons accused are The name of vessel was changed to the impression. The examination was continu-"Cuba." This was about 26th or 27th of ed in regard to taking in men, money, arms,

Court adjourned until 10 o'clock to

SATURDAY, October 23.

The cross-examination of James Gordon clock. was resumed by Mr. Davis. The witness did not know Judge Troy,

of Brooklyn. Had never been accused or tried for murder. (The witness here expressed a wish to correct some of the statements made yesterday, where he had fallen into errors. The counsel for the defense objected. The Commissioner said he would allow the witness to do so at the the penitentiary. proper time).

My. evidence had been written down on torney for the District of North Carolina, the 7th of October in New York, by a lawappeared among the Counsel for the Gov- | yer, I suppose. Did not furnish the counsel of the Government with a copy. Was James Gordon was again placed on the not asked by any one to have my testistand. Mr. Davis conducted the cross exmony committed to paper. The commission of Commodore Higgins was from the James Gordon-Did not follow the sea Cuban government; the ship was spoken as an occupation-made my living by go- of in the orders of the Cuban government ing to sea-two years since I had gone to as a public ship belonging to the Cuban sea-had been during this time engaged navy. Think the shipping articles were in dry goods business and for last five signed off Montauk Point, on the 22d September—am not certain.

Direct examination resumed. The witness made some unimportant corrections of his testimony in regard to localities and Witness resuming said I was not a sea- dates. The shipping articles enlisted us -was a detective now. Can't tell the first | We were to get equal share of the prize trip made at sea-went to Brazil. Was in money, according to our respective posi-Mr. Davis asked that the witnesses for the naval service of the United States tions and rank. Our wages are \$35 per

William Fowler (Indian) was next examined on the part of the Government. Mr.

Navy Yard in 1865. Don't know how old I live on Montauk Point-am a farmer, James Gordon was introduced by the I was then, am nineteen now. After I live three miles from Light House-am prosecution. Judge Person conducted the left the Vermont was on the Iriquois- decended from the Montauk tribe of Incan't say how old I was then. Did not dians-Saw the Hornet on Sunday morn-He said he was nineteen years of age_ desert from the Iriquois. Went to the ing off Montauk about three weeks ago. was a seaman-born in Scotland and West Indies and Rio in her. Was trans- She was about one mile westward of Slangferred to the Pawnee at Rio-this was in wong, and three miles from Montauk 1865. Stayed in Rio for a year and a half. Point light. She remained there until Was sent home sick from Rio. Don't Tuesday afternoon. The steamer was in know the name of the vessel in which I the Sound between Great Point and Slangspies in their midst, had little tendency to of the road and of North Carolina. We and two 12-pound howitzers, and small returned home. This was in 1867. After wong. They came up on Monday—did that was connected with the Brazil mail not go along side-remained about an anothing of the commissions of any except line. Was never at Cape Town. Did not hour—could see no communication—saw Commodore Higgins. The list of officers tell Corporal O'Reily that I had deserted schooner on Sunday morning lying along were read over, and witness gave his im. from the Vermont-did not tell him I had side of the steamer-remained until Mondeserted at Cape Town-I did desert from day at ten or eleven o'clock-schooner house. Counsel for defense objected to his im. the Cuba. Did not return the two months came ashore abreast of where the steamer pressions, and witness was directed to pay which had been given to me. (The was lying-schooner had coal aboard. On fornication and adultery-fixed one penny witness was directed to hand the money Tuesday boat with officers came ashore—a which he had marked to Counsel. He big trunk was taken out of her and put on made a remark which he subsequently at- steamer's boat. Recognized two of the Witness first became acquainted with tempted to deny, about being afraid to of the officers now in Court (Captain In-Col. Munro, who was a Lieutenant of trust it to them. The Counsel called this gram and Mr. Gibson). Two came to my Marines on the Cuba, in August in New matter to the attention of the Commis- house and bought provisions. After that York. Was with him in the Ryan expedi- sioner as showing the feelings of the 'wit- saw side wheel steamer come up to the sea. Saw box stuff float ashore, one piece

Cross examined by Judge Meares-Am

the dirty tools of spies and informers? | er. Came here with a man (pointing out Mr. Starbuck did not regard the question a man in crowd); believe his name is der of the Government.] First met Mr. Davis said if it was a necessity of Shields at East Hampton. He went to and paid my expenses. He said I was to Judge Person said that the witness had be paid for coming but mentioned no sun

John Woolford (colored) was next intra duced-Judge Person conducting the ex

Live in Baltimore-twenty-two years of hired myself to the Captain of the James Gordon-I was employed by Davis, who Predmore at pier 49 North River. Schooner

Cross examined by Judge Meares-When I first met Shields told him all about this matter. Had conversation with man in New York. Came with Mr. Davis, Mr. Gordon and Mr. Dempsey. Nothing was said to me about pay by Shields or any one else. Was taken up as a witness and had to come. Have talked to no one except one gentleman (pointing to Judge Person); he told me I must tell the truth and nopaid my railroad expenses. Mr. Odis, officer on the Revenue Cutter, told me to go aboard of the Cutter. There was no conversation between Mr. Dempsey, my self and another man near this building

this morning. On resumption of direct examination, witness pointed out Captain Dornin and Captain Munro as officers on the Hornet. Court adjourned until Monday 10 o'

SUPERIOR COURT.-His Honor, Judge Russell, was busy yesterday on the crimi

nal docket. In the case of the State vs. Henry Lat kins for larceny, there was a verdiet of guilty. Sentence twenty years in the pen itentiary and in workhouse until sent to

State vs. Henry Young-burglary. Ver diet of guilty-twenty years in the penitentiary. |This is the same boy who broke into Mr. London's house and was

cleared and then robbed Mr. Bear |. State vs. Henry Larkins-larcenv. Ver dict, guilty-no sentence.

These cases occupied the entire day. Daily Journal 22d.

SUPERIOR COURT.-His Honor Judge Russell was still engaged on the Criminal Docket yesterday and will be for some

State vs Wm. A. Hays indicted for Burglary, there was a verdict of guilty and prisoner sentenced to five years in State Penitentiary. State vs George Maloy-Larceny-ver-

time yet.

dict-not guilty. State vs Charles Stephens-Larcenyguilty-sentenced to four months in the

Work House. State vs W. H. Payne-not guilty State vs Nicholas Richards-The Jury

had not returned a verdict when our report concludes. Judgment nisi was entered up against

defaulting Jurors and Witnesses. The Grand Jury returned six true bills

yesterday That body also visited the Poor House, Work House, &c., but as yet have submit

ted no report. Daily Journal 23d.

were tried and the faccompanying senten ces passed at the term of the Superior Court yesterday:

SUPERIOR COURT.—The following cases

Louis Freeman, convicted of larceny-4 manths at hard labor in the county work

Henderson Davis, alias Madison Davis, and costs. Jas. Anderson, alias Andrew Wells, lar

ceny—judgment suspended.

Andrew Wells, alias Jas. Anderson, lar ceny-12 months in the workhouse. Chas. Simpson, larceny-12 months in the workhouse.

Jno. Jones, larceny-12 months in the workhouse. All of the above criminals are colored. The Court has adjourned to meet at 9

o'clock Monday morning. Daily Journal 24th,